As patents are essentially private rights they are normally challenged by the persons (s) whose interests are affected/jeopardized. Data of patented Indian goods/items as well as patents revoked in European countries is not maintained.

However, for instance, the patent on fungicidal properties of Neem granted by the European Patent Office was successfully challenged by Non-Governmental Organizations and the patent was revoked in May 2001.

(c) and (d) The patent on waste treatment using Hessian (jute product) granted to M/S Geo Hess (UK) Ltd. has been revoked in August 2002 based on the opposition petition filed by Jute Manufacturers Development Council (JMDC) and Indian Jute Industries Research Association. JMDC renders technical assistance, if required by the entrepreneurs and the Government through its patent offices provides assistance by way of necessary information in such cases.

WTO meetings on anti-dumping

†2498. SHRI P. K. MAHESHWARI: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether World Trade Organisation (W.T.O.) has held meetings during October and November, 2002 on issues related to anti-dumping and subsidy;

(b) if so, whether Government have participated in the said meetings;

(c) if so, whether Government have raised these issues in the said meetings; and

(d) if so, the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI RAJIV PRATAP RUDI): (a) The Doha Ministerial Conference of the World Trade Organization (WTO) held in November, 2001 has provided for negotiations aimed at clarifying and improving disciplines under the Agreements on Anti-Dumping

†Original notice of the question was received in Hindi.

and Subsidies and Countervailing Measures, while preserving the basic concepts, principles and effectiveness of these Agreements. In the initial phase of the negotiations, participants are to indicate the provisions, including disciplines on trade distorting practices that they seek to clarify and improve in the subsequent phase. These negotiations are currently being undertaken in the Negotiating Group on Rules (NG Rules). Four meetings of NG Rules were held upto November 2002. The regular meetings of the Committee on Anti-dumping Practices and the Subsidies Committee were also held in October-November 2002. These meetings are of routine nature and are held every six months for reviewing applicable legislation and the anti-dumping/countervailing duty action by various countries.

(b) India has participated in these meetings of NG Rules and the regular meetings of the Committee on Anti-dumping Practices and the Subsidies Committee. The meetings of the NG Rules would be an on-going process till the completion of the negotiations.

(c) India has made two submissions to the NG Rules. The first submission which was made in April 2002, sought increased flexibility for developing countries during anti-dumping and countervailing duty investigations. During the meeting of NG rules held on 16-18 October 2002, India submitted a second proposal seeking improvements and clarifications of some of the provisions of the Anti-Dumping Agreement. The Doha Ministerial Conference of the World Trade Organization also mandated examination by the Anti-dumping Committee and the Subsidies Committee of certain Implementation Issues for recommendations. India submitted detailed proposals on some of these Implementation Issues and actively participated in the deliberations of the two Committees.

(d) During the first phase of the negotiations, which is presently under way, countries are required to indicate the provisions that would be the subject of negotiations in the subsequent phase. In the discussions held so far, countries have expressed differing views on the various negotiating proposals that have been submitted. In respect of Implementation Issues, while no recommendation could be agreed to on issues relating to countervailing duty investigation and operationalising Article 15 of

the Anti-Dumping Agreement, recommendations have been agreed to in respect of the following two Implementation Issues relating to the Anti-Dumping Agreement: (a) time frame for considering the volume of dumped imports during anti-dumping investigation and (b) making the annual review of operation and implementation of the Anti-Dumping Agreement more meaningful.

US proposal in WTO for reduction of import duties by member countries

2499. SHRI RAJIV RANJAN SINGH 'LALAN':
SHRI LAJPAT RAI:

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that American representatives have recently brought a proposal in World Trade Organisation to the effect that Member countries should reduce import duties in their respective countries;

(b) if so, the details thereof and Government's reaction in this matter;

(c) whether it is also a fact that there is a huge difference in rates of import duties in Member countries; and

(d) if so, what are the minimum and maximum rates, alongwith the names of such countries?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI RAJIV PRATAP RUDI): (a) and (b) Negotiations on further commitments on import tariffs are underway in the WTO in accordance with the Doha Ministerial Declaration. Several WTO Members, including the US, have submitted proposals on modalities for these negotiations. The US in its proposal for non-agricultural products has suggested elimination of customs duties by all WTO members to be achieved by 2015. This is proposed to be done in two phases which *inter alia* require tariffs on all non-agricultural products to be brought down to below 8% by 2010. In the second phase lasting from 2010 to 2015 all remaining non-zero tariffs have been proposed to be brought down to zero. For agricultural products,